

Number	Effective	Title	Owner
VIII-1	3-98	Court-Enforced Boater Education	Recreation Chief

COURT-ENFORCED BOATER EDUCATION

Process and Recommendations

BACKGROUND

Section 67-7033(2), Idaho Code, requires persons convicted on second or subsequent violations of the Idaho Safe Boating Act, as amended, to attend and successfully complete a course on safe boating approved by the state boating law administrator. Section 67-7033(5), Idaho Code, requires any person found guilty of operating a vessel under the influence of alcohol or drugs, including a first conviction, to attend and successfully complete a course on safe boating approved by the designated state boating law administrator. These additions to Idaho Code were new in 1997.

DEFINITIONS

A State Boating Law Administrator means the staff person of the Idaho Department of Parks and Recreation appointed by the director and who supervises the boating program.

A Certified Instructor means any person completing a Certified Boating Safety Instructor Workshop offered by the Idaho Department of Parks and Recreation or other persons certified by the state boating law administrator including qualified instructors of the U.S. Coast Guard Auxiliary.

PROCEDURE

Course Approval

A course on safe boating approved by the state boating law administrator shall be limited to:

- 1) any course approved by the National Association of State Boating Law Administrators and instructed in a classroom by a certified instructor;
- 2) any course approved by the National Association of State Boating Law Administrators and instructed in a classroom by certified instructors of the U.S. Coast Guard Auxiliary or the U.S. Power Squadrons; or
- 3) any other course, including a home study course, approved by the National Association of State Boating Law Administrators when a monitored final examination is administered by a certified instructor.

Successful Course Completion

In order to attend and successfully complete any course on safe boating as approved by the state boating law administrator, the person shall:

- a) comply with all course requirements for attendance and behavior for any classroom course in which he is enrolled and pass the final examination with a minimum score of eighty (80) percent; or,
- b) review the Idaho Boating Basics home study course and pass the final examination with a minimum score of eighty (80) percent while being monitored by a certified instructor.

COURSES

The U.S. Coast Guard Auxiliary offers courses throughout the year at many locations in Idaho. Contact the Idaho Department of Parks and Recreation, at (208) 334-4199, for information on course schedules.

Instructors certified by the Idaho Department of Parks and Recreation also include several county sheriff=s deputies, school teachers and other citizen volunteers. The department maintains a list of instructors.

For boaters in isolated communities, the option is available to complete AIdaho Boating Basics,@ a home study course published by the Idaho Department of Parks and Recreation. Examinations for home study courses must be monitored by a certified instructor. These instructors include any person completing a Certified Boating Safety Instructor Workshop or any qualified instructor with the U.S. Coast Guard Auxiliary.

COURSE LIMITATIONS

Because courses will not be available at all locations during all times of the year, it is recommended that courts allow convicted boaters up to six (6) months to complete court-assigned education.

Many county marine deputies have completed the instructor certification workshop offered by the Idaho Department of Parks and Recreation. Courts and/or prosecutors should put together a list of local resources for conducting classes and/or monitoring exam. Contact the Idaho Department of Parks and Recreation if you have any questions.